

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CHICAGO TILE INSTITUTE WELFARE)	
PLAN, CHICAGO TILE INSTITUTE)	
PENSION PLAN, and CERAMIC TILE)	
AND TERRAZZO LOCAL 21 B.A.C ANNUITY)	
PLAN, and the CERAMIC TILE, TERRAZZO)	Case No: 23 CV 4387
AND GRANITE CUTTERS UNION LOCAL)	
NO. 21,)	
)	Judge: Bucklo
Plaintiffs,)	
)	
v.)	Magistrate Judge: Jantz
)	
ESCORZA TILE, INC.,)	
)	
Defendant.)	

Motion for Entry of Consent Judgment Order

Plaintiffs, CHICAGO TILE INSTITUTE WELFARE PLAN, et.al. by and through its attorney, and Defendant, ESCORZA TILE, INC. by and through its attorneys, move this Honorable Court to enter a Consent Judgment Order against the Defendant, ESCORZA TILE, INC., and in support states as follows:

1. Plaintiffs filed their Complaint on July 7, 2023, alleging that the Defendant failed to submit contributions, liquidated damages, interest, fees and cost to the Trust Funds for various time periods.
2. After pursuing litigation and third-party collection efforts, the Plaintiffs were able to recover or receive payment for over \$700,000.00 in delinquent contributions owed by Defendant.
3. The remaining issues between the Parties deal exclusively with the non-payment of the outstanding liquidated damages, interest, fees and costs the Plaintiffs claim are due and owing from Defendant pursuant to the Trust Agreements and *ERISA* at Section 1132(g)(2).

4. The Parties were referred to Magistrate Judge Jantz to assist in resolving this matter. After referral, the Parties have come to a settlement agreement that includes agreeing to request a Consent Judgment be entered against the Defendant. The Parties have had the benefit of counsel, and this matter has been reviewed by all parties, including the principle of the Defendant corporation.

5. Plaintiffs and Defendant have agreed that a Consent Judgment Order should be entered against the Defendant in the total amount of \$270,915.83 to resolve the litigation. This amount represents unpaid liquidated damages, interest, fees and costs. A proposed copy of the Judgment Order is attached as **Exhibit A** and will be submitted to this Honorable Court's proposed order email.

WHEREFORE, Plaintiffs and Defendant request that this Court enter a Judgment Order in the amount of \$270,915.83 against the Defendant, ESCORZA TILE, INC.

Respectfully Submitted,

By: /s/ Michael J. McGuire
Attorney for Plaintiffs

/s/ Michael Persoon
Attorney for Defendant

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